



JOSEPH R. BIDEN, III
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
NEW CASTLE COUNTY
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

CIVIL DIVISION (302) 577-8400
FAX (302) 577-6630
CRIMINAL DIVISION (302) 577-8500
FAX (302) 577-2496
FRAUD DIVISION (302) 577-8600
FAX (302) 577-6499
TTY (302) 577-5783

January 15, 2008

BY HAND DELIVERY AND ELECTRONICALLY FILED

The Honorable Mary Pat Thyng
US District Court
District of Delaware
844 North King Street
Wilmington, DE 19801

RE: **Adam Wenzke v. Correctional Medical Services, et al.**
C.A. No.: 07-504-MPT

Dear Judge Thyng:

Counsel for Jim Welch, Director of Health Services for the Department of Correction, respectfully requests a continuance to January 18, 2008 to answer plaintiff's motion for preliminary injunction for immediate medical treatment of testicular masses (D.I. 11).

Your Honor's January 7, 2008 Order (D.I. 14) directs counsel for CMS and the Attorney General file a response and submit a copy of plaintiff's medical records no later than January 16, 2008. At this time, I am unable to obtain all the information necessary to file a response. For this reason, counsel respectfully requests that the filing of an answer be continued to a later date.

I apologize for any inconvenience I may have caused the Court and remain available to the Court should anything further be required.

Thank you.

Respectfully,

/s/ Ophelia M. Waters

Ophelia M. Waters
Deputy Attorney General

OMW/vd